

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

EDMOND R. JESSE, Husband and )  
wife in the Flesh and Blood as a )  
living man and woman in proper )  
person and the Martial Trust thereof, )  
and KATHLEEN M. JESSE, )  
Husband and wife in the Flesh and )  
Blood as a living man and woman in )  
proper person and the Martial Trust )  
thereof, )

Plaintiffs, )

v. )

LANCE R. JESSE, Principal, et al., )

Defendants. )

8:12CV286

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On August 31, 2012, the court entered a Memorandum and Order provisionally filing this matter but requiring Plaintiffs to either file a motion for leave to proceed in forma pauperis or pay the \$350.00 filing fee no later than September 28, 2012. (Filing No. [4](#).) The court warned Plaintiffs that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. (*Id.*) Neither Plaintiff has paid the \$350.00 filing fee or submitted a motion for leave to proceed in forma pauperis.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to pay the court's filing fee and for failure to comply with a court order.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 12th day of October, 2012.

BY THE COURT:

*s/ John M. Gerrard*  
United States District Judge